

# The Fulton County News.

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## HERE IS THE REASON.

Why the County Commissioners do not Pay a Bounty on Fox Scals.

### A CASE OF BUNGLING LEGISLATION.

Legislature made two efforts to Enact a Law that would Secure a Bounty for Killing Foxes, and Didn't get it Worded Right.

Because of the presentation at intervals of certificates to the County Commissioners for bounties on foxes killed, and demand made for payment of the same, and notwithstanding the decision of Judge Swope a few years ago that the county is not liable for any bounty on foxes, we publish below for the information of everybody, the opinion of the court in the case of Daniel Hamil, use of Theo. Sipes, treasurer of Fulton county, versus The County of Fulton, in No. 6 June term 1900. The facts of the case submitted to the court were briefly that Daniel Hamil killed a gray fox in Tod township, Fulton county, and produced the pelt before Daniel Fore, a justice of the peace, made oath that he had killed the animal and received from the justice a certificate which was presented to the county commissioners properly endorsed and a draft demanded in payment thereof which the commissioners refused. The certificate was then lifted by the county treasurer and the case presented to the court.

The opinion was filed June 12, 1900, and is as follows:—

"This case stated involves the constitutionality of the Act of July 9, 1897, P. L. 233 with its amendment of April 11, 1899, P. L. 43, allowing premiums for the destruction of wild cats, foxes, and minks in this commonwealth.

The act of July 9, 1897, is entitled "An act for the destruction of wild cats, foxes and minks in this commonwealth, and providing for the payment of bounties on the same, officers fees and fixing a penalty for violation of the same.

The most important feature of this proposed legislation is that liability for the bounty and fees. Who is to pay the same? The state, county, or district of the county in which the animals are killed? The title of the act gives no notice of this in any way.

The body of the act provides for their payment by the county treasurer on an order given by the county commissioners, upon production of a certificate of a magistrate, showing a compliance with the provisions of the act.

We are of opinion that this act offends against Article 3, Sec. 3, of our state constitution, because its subject is not clearly expressed in its title, and that it is therefore unconstitutional.

This defect in the title of the act of 1897, was sought to be remedied by the act of April 11, 1899, P. L. 43, by merely amending the title.

But the act of 1897 was void and dead, by reason of its infringement on the constitution, and could not be resurrected in that way.

The effort so to do but resulted in an additional constitutional infringement by offending against Article 3, Sec. 6, of our state constitution which provides, "No law shall be revived, amended, or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revived, amended, extended or conferred, shall be re-enacted and published at length." This same view was held by Judge Purdy in *Tuple vs. Wayne county*, 23 C. C. R. 361.

We discover no legal authority for the payment of the bounty and fees in question, and judgment is directed to be entered in favor of the defendant, costs to be paid by the county of Fulton.

It will thus be seen that owing to the bungling legislation on this subject there is no bounty or premium on foxes, nor on anything except wolves or wild cats. The decision of Judge Swope is

## Thaddeus Stevens Memorial Association.

The Thaddeus Stevens Memorial Association has been formed for the purpose of erecting at Lancaster Pa., a memorial industrial school for the education of poor orphan boys, in honor of Thaddeus Stevens, the defender of the common school system in our State. It is proposed to raise the necessary amount for the enterprise by popular contributions. Dr. Scheaffer, Superintendent of Public Instruction, is President of the Association, and it is expected that a considerable portion of the fund will be raised through our public schools. The Association has had prepared a handsome photo-lithograph of Mr. Stevens, on heavy card board paper, 22x28 inches, suitable for framing, and any school raising one dollar or more will be supplied with one of these engravings which will be an ornament to any school room. Three of the schools in this place have already secured the engravings, and it is thought that the most of the schools in the county will follow their example. The Treasurer of the Association has sent a supply of these engravings to Senator Alexander, of this place, who will furnish them to those schools raising the required amount.

### Thirty-fifth Anniversary.

The thirty-fifth anniversary of the marriage of Mr. and Mrs. Wm. Reed of Spring House Valley was celebrated at the home of their daughter Mrs. Leonard Bivens at Webster Mills last Wednesday.

Mr. and Mrs. Reed arrived at an early hour, and later in the forenoon many other guests came. During the noon hour all assembled in the large dining room, where they all did ample justice to a sumptuous dinner that had been prepared by Mrs. Bivens and her assistant Lula Woodal.

The dinner consisted of turkey chicken, ham, rolls, pies, cakes, ice cream, and many other things too numerous to mention, such as only Mrs. Bivens knew would suit the appetite of her guests; for the writer thinks some of them were getting pretty hungry after their trip to and from McConnellsburg, on such a cold morning. Of course the dinner rapidly disappeared.

Among those present were Mr. James Rummel and wife, and Mrs. Ralph Reed and son of McConnellsburg; Mr. Abner McLucas, wife and two daughters, Mr. John Hendershot and wife, Mr. Geo. Unger and wife, Mr. John Seiders, Mrs. Samuel Mellott, Mrs. William Paylor—all of the Cove; Mr. James Bivens and wife of Big Cove Tanney; Mrs. Berte Souders and son; Charley Reed, and Daniel Comer of Webster Mills.

It was a delightful social event and may Mr. and Mrs. Reed live to enjoy many more such occasions.

**ROCK HILL.**  
Mr. Wm. P. Unger is very ill at this writing.

Quite a number of our young folks spent an evening very pleasantly at Mr. and Mrs. James Fryman's.

Mrs. Scott Tritle is able to be out after a siege of measles.

William Woodal is very sick with grip.

Elmer Cooper, after spending some time in Altoona, is spending a week at home.

Miss Lula Woodal spent Sunday at her home.

Just as binding on the county commissioners, until reversed, as the judgment of the Supreme Court would be. If they, in defiance of the decision paid the bounty on foxes, the county auditors would throw out the item, or if they did not, some taxpayer would appeal and the commissioners would have to make good the wrongful payment.

Before bounties on foxes can be recovered, the legislature will have to enact a law authorizing it and place upon counties the duty of paying.

## Mrs. Woollet Surprised.

Last Wednesday was an anniversary of the day on which Mrs. S. B. Woollet adopted this planet as a place of temporary residence. It occurred to Miss Mary Wilds that it would be a good thing to celebrate the occasion by giving her Aunt Lib a small sized surprise; hence the good offices of Mrs. Cook were invoked, and that lady made it convenient to take Mrs. Woollet down to spend the afternoon with Mr. and Mrs. Tobie Glazier. When they returned rather late in the evening Mrs. Woollet was informed that she had some callers that were waiting for her in the parlor, and when she entered and found the room full of her friends ready to extend congratulations, it dawned on her what it all meant.

Among the guests present were Mrs. H. S. Wishart, Mrs. A. L. Erb, Mrs. S. A. Nesbit, Mrs. L. E. Harris, Mrs. S. B. Stevens and daughter Grace, Mrs. D. C. Fleck, Mrs. John P. Sipes, Mrs. Matilda Trout, Mrs. W. S. Alexander, Mrs. A. Stouer, Mrs. W. A. Sloan, Mrs. S. M. Robinson, Mrs. T. F. Sloan, Mrs. J. B. Runyan, Mrs. A. U. Nace, Mrs. S. M. Cook, Miss Annie Dickson, and Miss Maggie Oakes.

Ten years ago Miss Mary gave her aunt a similar surprise, and it was noted that just ten of the guests then present are now dead.

### Officers Installed.

District President, N. H. Alloway, assisted by John Houck, installed the following officers in Burnt Cabins Camp, No. 609:

Past Pres., A. V. Kelly; Pres., H. H. Hertzler; V. P., P. J. Waters; M. of F., J. H. Snyder; R. S., J. G. Waters; Treas., J. L. Waters; F. S., J. B. Miller; Con., G. W. Reihart; G., D. B. Galagher; Ins., Chas. Snyder; Chap., D. A. Robinson; R. S., J. M. Bowman; L. S., Jos. Matthias; Trustees: H. H. Hertzler, A. V. Kelly, J. H. Snyder.

The Camp is in a prosperous condition.

### NEEDMORE.

We are still here. The ice gorges along our streams are something wonderful.

T. W. Peck and family spent Sunday at the home of Lemuel Garland.

That cold wave still waves 'o'er the land of the free and the home of the brave."

Mr. and Mrs. H. L. Garland were guests of W. F. Hart and family last Sunday.

Mrs. A. Runyan, who had been very unwell for some time, is slowly convalescing.

The Growlers divide the responsibility for this severe weather between Hicks and the hog.

Wm. Truax of Pleasant Ridge was here last Friday and helped to varnish the seats in the church.

John D. Mellott completed his work at the church last Saturday. The work is very creditable to the mechanic.

Rev. and Mrs. Baugher came home last Saturday after about a month's absence. Mr. Baugher was holding meetings in Whips Cove and in Bedford county.

### Educational Meeting.

The third educational meeting of Tod township met at McGovern's school last Friday evening, and was called to order by the teacher C. C. Retz, who acted as chairman and Miss Olive Grisinger was elected secretary.

The following questions were discussed: 1. Making Pupils Think. 2. Don't Forget. 3. What is good Discipline?

Owing to the bad weather only five teachers were present; but there were very instructive discussions by Prof. Hershey, C. C. Retz, A. D. Feightel and Supt. C. E. Barton, on each topic.

The crowd was orderly and respectful which made it very pleasant for the teacher.

## SPENT SUNDAY IN BOMBAY.

Miss Alice Wishart Attends a Hindu Christian Endeavor Society.

### FAVORABLY IMPRESSED WITH COUNTRY

We drove back to the Abbott's by way of the sea, and through aristocratic Bombay. Oh! the houses, the foliage, the sea and the sunset, the most marvelous colors I ever saw in the sky, as a background for temples, palaces and palms. And then no clanging bells, or rumbling over cobblestones. I haven't been able to rub up one tiny bit of excitement strange to say, but I am enjoying the strange, beautiful, new things without one bit of glamour. I prefer Bombay with India, so far to anything I saw in England or on the continent.

Monday, 7 A. M. I was too tired and sleepy on Saturday night to finish my letter, so I got up early this morning, ate my chotti hazari (tea and toast) and am at it again. The air is so sweet and cool with a whiff of something floating in now and then to where I am writing by the window.

After we got back from tea at Miss Abbott's we dressed for dinner, to which Miss Bissell and her brother with his little daughter, and Dr. Rose and Miss Mary Fairbank were invited. After dinner we had coffee in the drawing room. We had a delightful evening together, and after prayers, the guests departed, and Mrs. Clark and my host and hostess and I had a cozy little talk together until bed time. Mrs. Abbott brought me to my room which is bed room and sitting room combined, with a bath attached, has five windows and looks out on the front lawn, a vista of palms, banana trees, vines and tropical plants. She told me when my chotti hazari would be brought in, explained about the strange sounds I was likely to hear in the night, explained, too, about the locks and bolts, and bade me good night; and so thus ended my first day in Bombay. After a vain attempt at writing I went to bed and slept like a top only getting up in time for my bath and to get ready for Sunday school in the Home Mission. Dear old Mrs. Clarke took me in the Abbott's conveyance, and I will simply mention the places I visited reserving a description of them for the Christian Endeavor letter, I will write as soon as I can. It was intensely interesting to me, and being so strange and new I think I shall never forget it. I attended five different services with the others who remained in Bombay over Sunday. The Humes people are exceedingly nice, and they and the Abbott families showed off the American Board work to a fine advantage. They can well be proud of it, and yet they are very modest. I am invited to lunch at one of their homes to-day and all the new people are invited here for 9 o'clock breakfast this morning. They leave at nine to-night as I do. From the Sunday school I went with the Hume clan on a general mission tour to see the little blind famine orphans; I could have wept quarts! Then to C. E. at the Boys' Orphanage where we saw 200 boys from the age of five to eighteen take entire charge of the meeting. I came back to the Abbott's for 3 o'clock tiffin, and started off with them to Marathi Christian service at their mission church. We attended English service at 6 o'clock, designed for Hindu young men who can speak English. After dinner Mrs. Clarke and I went out on the balcony to look at the stars and have a little chat. This morning after breakfast, Mrs. Abbott is going to take me shopping, then to lunch and some sight seeing later in the afternoon.

I feel so well and so rejoiced at God's goodness in bringing me here among such kind friends, in safety and health. My first impressions of India are so good, I could not wish them better. I

## David Abraham Kline.

A telegram last Thursday morning brought the sad intelligence of the death of David A. Kline at his home near Shady Grove, Franklin county, on the night before. Funeral at noon on Saturday.

The deceased was born where the family of David Harr now reside, near Gem, on the 20th of March 1806, and was, therefore, aged 37 years, 10 months, and 18 days. Two or three years after the death of his father, the late John B. Kline, whose death occurred May 25, 1891, David with his family moved to Franklin county, where he spent the remainder of his life.

He was the last member of the John R. Kline family his mother dying September 11, 1878; his twin-sister Jennie (Mrs. Dr. Sharpe), died at McConnellsburg, February 24, 1892, and Elijan, on the 34th of March 1902.

David was married to Miss Maggie Mellott of Belfast township, this county, who, with two children, survives.

### PHILIPS GROVE.

Weather, very cold. G. Rolland has purchased a horse.

Dr. S. S. Hoop had a pine chopping Saturday. There were 25 present.

Wednesday evening quite a large number of young folks gathered at the home of Nevin Strait, and spent the evening in music.

George O. Sipe spent Saturday with G. C. Strait.

Elias Deshong is on the sick list.

Arlio Deshong and Nevin Strait spent last Thursday with J. V. Schooley.

T. I. Sipe wears a smile on account of the arrival of a little dish washer.

George Strait is able to be out again.

Nevin S. Strait has purchased a new organ. Now for the music.

Friday night the young people made a surprise party at the home of J. R. Sipes. Among those that were there were Geo. Dornbarger and Will Myers of Chambersburg; Aaron Palmer, J. E., Geo. O., and H. P. Sipes, Arlio Deshong, A. K. Deshong, G. C., and N. S. Strait, James Strait, Maude Deshong of Knobsville; Irene Sipes, Levina and Anna Schooley, Tena Sipes and Gertie Strait. The evening was spent in several fine games. After all was over, ice-cream, cakes, candy and tea were served, when all went home rejoicing over having had such a good time.

Our good sledding is gone; now we must try the mud.

N. B. Hanks captured a large raccoon during our zero weather.

C. W. and F. B. Spade are employed cutting logs for L. C. Mann.

Charley Spade of Franklin Mills, and George Spade accompanied by his mother, were business visitors at the County Seat last week.

Anthony Spade, the famous skunk hunter, caught five skunks in one hole; and he said had he dug a little deeper he might have caught five more.

Among the guests at Mr. and Mrs. Frank Spade's on the 3d were Mr. and Mrs. M. E. H. Bard, Mr. and Mrs. John Bard of Potter county, and Oliver Bard and Miss Jessie Bard. Call again.

The host of friends at Benson Hanks' were Miss Biddy Mills and Claud Smith of Emmaville, Charles Hartman of Everett, Blaine Smith of Black Valley, Jacob Garrick and C. W. Spade of Emmaville, Mr. George Spade and wife of Nebraska.

shall not have to try to like it.—Every hour has been full of lovely interesting things, and if all the rest should be hard and uncomfortable, I can glory in my precious first impressions. I am so anxious to get to Allahabad.

## REAL ESTATE CHANGES.

As Indicated by the Deeds Placed in the Hands of the Register and Recorder. William Kline to Harvey Kline for tract of land in Belfast township.

Daniel Spitzer, executor, to Reuben R. Sipes for tract of land in Belfast township.

John D. Mellott and wife to Joseph E. Mellott for tract of land in Belfast township.

D. H. Patterson et. al. to Walter M. Comer for tract of land in Dublin township.

Martin Bishop to Mary Bishop for tract of land in Thompson township.

Mrs. Kate L. Shoemaker et. al. to Homer Shoemaker for lot in Hustontown.

John Stahl and wife to Joseph Brady for tract of land in Union township.

Grant Shoemaker et. al. to Geo. Magsam for tract of land in Ayr township.

Eli M. Peek and wife to Jacob Spade for tract of land in Brush Creek township.

David V. Sipes and wife to W. H. Hoop for tract of land in Licking Creek township.

David E. Little and wife to Harvey Cooper for lot in Ayr township.

Harvey Cooper and wife to Cyrus Mentzer for lot in Ayr township.

Harrison G. Wagner and wife to Taylor Ramsey for tract of land in Taylor township.

Harrison G. Wagner and wife to Bruce Ramsey for tract of land in Taylor township.

Samuel Reese and wife to Wm. McGowan for tract of land in Dublin township.

William McGowan, Sr., to Samuel Widney for tract of land in Dublin township.

David A. Nelson and wife to Trustees of Cito A. M. E. church for lot of ground in Ayr township.

Isaac Barney and wife to L. A. Barney for tract of land in Union township.

Mrs. Leah Jackson et. al. to Pamela Ott for tract of land in Brush Creek township.

Daniel Spitzer, executor, to William B. Stiger for tract of land in Bethel township.

Catharine Miller et. al. to Harvey Cooper for tract of land in Tod township.

H. S. Daniels, administrator, to Mahulda Mellott for tract of land in Tod township.

Harry E. Deshong and wife to Mary E. Deshong for tract of land in Belfast township.

Reuben R. Sipes and wife to Walker Mellott for tract of land in Belfast township.

James S. Akers and wife to Ellen Boor for tract of land in Brush Creek township.

John G. Ewing to Mary B. Deshong for tract of land in Lacking Creek township.

Nellie Little and husband to Henry White for tract of land in Dublin township.

Annie E. Hess and husband to George W. Myers for tract of land in Bethel township.

S. Ella and S. Davis Richards to Fulton county for tract of land in Bethel township.

Reuben Sipes and wife to Thos. R. Truax and wife for tract of land in Belfast township.

B. A. Lyon to Seth R. Campbell for tract of land in Taylor township.

Seth R. Campbell to A. J. Horton for tract of land in Taylor township.

L. C. Kelly and wife to Henry K. Boyer et. al. for tract of land in Dublin township.

James Henry et. al. executor, to Mahulda Mellott for tract of land in Ayr township.

Geo. R. Martin to G. W. Hiles for tract of land in Bethel township.

Widow and heirs of J. L. Jackson to S. Marshall Jackson for tract of land in Brush Creek township.

Mrs. Pamela Ott to S. Marshall Jackson for tract of land in Brush Creek township.

## ABOUT PEOPLE YOU KNOW

Snapshots at Their Movements, as They Come and Go.

### NAMES OF VISITORS AND VISITED.

Home for a Vacation, Away for an Outing, a Trip for Business or Pleasure, You'll Find it Right Here.

Rev. Shull will preach next Sunday morning at 10:30 at Siloam; 2:30 in the afternoon at Asbury, and at 7:30 in the evening at Ebenezer.

Elmer Cooper, an employee of the P. R. R. at Altoona, is spending a week's vacation with his parents, Mr. and Mrs. Geo. Cooper of the Cove.

Master Reed Ray, of the Scotland S. O. I. S. is spending a few days at the home of his parents, Mr. and Mrs. Elliott Ray of this place.

Mrs. S. M. Cook and Mrs. S. B. Woollet of town, spent last Wednesday afternoon the guests of Mr. and Mrs. Tobias Glazier of Webster Mills.

Albert B. Hanks, of Chambersburg was called to Everett Sunday, because of the critical illness of his mother, Mrs. Charlotte Hanks.

R. R. Hann and son Edgar, of Saluvia, were among the McConnellsburg visitors Saturday. Mr. Hann was compelled to walk by the aid of a crutch, the result of an injury sustained while engaged in getting out logs in the mountain last week.

Elnsha Smith aged 24 years and his brother aged 27, died at Everett, a few days ago from the effects of vaccination. Several weeks ago a Miss Dickson of Tyrona, a cousin of the deceased came on a visit to the Smith's, and soon thereafter took the small pox. The young men named were at once vaccinated, and died from the effects.

It seems to be a singular thing that so many of the great disasters occur on Sunday, and this is true especially of all our great fires in the United States. The Philadelphia Press epitomizes them as follows: October 8, 1871, (Sunday) the great fire in Chicago; November 9, 1872, (Sunday) the big Boston fire; February 9, 1902, (Sunday) the Patterson, N. J., fire; February 7, 8, 1904, the great Baltimore fire, which is the greatest of them all.

**WELLS TANNERY.**

Rev. Kennedy, who was recently elected pastor of the Everett, Shermans Valley and Wells Tannery Presbyterian churches, has moved to the first named place, and will preach here next Sunday evening at 7 o'clock.

The Epworth Social last Saturday evening was well patronized, many strangers from a distance being in attendance.

Mrs. A. S. Greenland is visiting friends in Everett.

Will Moore and daughter of Saluvia, spent Sunday with Mr. and Mrs. W. L. Moseby.

Margaret Golden of Everett, is visiting among friends here.

J. H. Allen of Chambersburg, spent last Sunday in town.

Mr. and Mrs. William Stine made sale of their personal property last Saturday, and have gone to Harrisburg.

Mr. and Mrs. V. D. Schenck visited the former's mother at Enid last Wednesday.

Margaret Stunkard of Enid, visited Gertrude Young Saturday night.

Naunie, daughter of Mr. and Mrs. W. B. Stunkard has been very sick for several weeks, but is now slowly recovering.

J. W. T. Wettleton to the Real Estate Title and Trust Co., for tract of land in Wells township.

George Regi and wife to Margaret Johnston for tract of land in Tod township.

Mary B. Deshong and husband to Benjamin F. Deshong for tract of land in Licking Creek township.